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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**DECLARATION OF KODY KLEBER IN
SUPPORT OF *EX PARTE* MOTION OF
THE OFFICIAL COMMITTEE OF
TORT CLAIMANTS PURSUANT TO
B.L.R. 9006-1 REQUESTING ORDER
SHORTENING TIME FOR HEARING
ON MOTION TO COMPEL
PRODUCTION OF THIRD-PARTY
CONTRACTOR DOCUMENTS**

Related Document: Dkt. No. 3205

[No hearing requested]

1 I, KODY KLEBER, do hereby declare under penalty of perjury as follows:

2 1. I am a Partner at Baker & Hostetler LLP, attorneys for the Official Committee of
3 Tort Claimants (the “TCC”) in the above-captioned chapter 11 cases.

4 2. I submit this declaration in support of the Motion of the TCC (the “**Motion to**
5 **Shorten**”), pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the United States
6 Bankruptcy Court for the Northern District of California, for entry of an order shortening time for
7 a hearing on August 9, at 11:30 a.m. (the “**Motion to Compel Hearing**”), on the *Motion of the*
8 *Official Committee of Tort Claimants to Compel Production of Third-Party Contractor Documents*
9 (the “**TCC Motion**”) (Dkt. No. 3205). The TCC requests that written objections, if any, be due by
10 4:00 p.m. (Pacific Time) on August 2, 2019.

11 3. For several months, the TCC has sought documents from Debtors relating to their
12 third-party contractors’ potential responsibility for the 2018 Camp Fire. The third-party contractor
13 discovery request is outlined in Request No. 25 of the Rule 2004 Application dated April 30, 2019.

14 4. On July 18, 2019, counsel for Debtors stated in an email correspondence to counsel
15 for the TCC that Debtors hoped to substantially complete their production of documents responsive
16 to Request No. 25 by July 19, 2019. On July 19, 2019, Debtors made a production of additional
17 documents responsive to the TCC’s third-party related document requests, but the production did
18 not include results or work product of any third-party contracted work. As of the filing of the TCC
19 Motion, Debtors have not produced any third-party non-vegetation inspection records for the
20 Caribou-Palermo Line, descriptions of work performed by third-party contractors (or any other
21 work product), and any risk assessment documents specific to the Caribou-Palermo Line.

22 5. As a result of the Debtors’ failure to provide discovery, ample cause exists to hear
23 the TCC Motion on shortened time at the Motion to Compel Hearing since absent relief from the
24 Court, under Bankruptcy Local Rule 9014-1(c)(1) the TCC Motion cannot be heard for at least
25 twenty-eight days from the date of filing.

26 I declare under penalty of perjury that, to the best of my knowledge and after reasonable
27 inquiry, the foregoing is true and correct and that this declaration was executed on July 26, 2019.

28 
Kody D. L. Kleber